

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

QUICKIE, LLC,

Plaintiff,

07 Civ. 10331 (RMB) (DFE)

-against-

GREENBERG TRAURIG, LLP,

STIPULATION AND ORDER

ECF CASE

Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and between plaintiff Quickie, LLC (“Quickie”) and defendant Greenberg Traurig, LLP (“Greenberg” and, collectively with Quickie, the “Parties”), by their undersigned counsel, as follows:

1. Greenberg shall file and serve any motion for summary judgment on liability issues only (to the exclusion of damages issues) (the “Greenberg Motion for Summary Judgment”) pursuant to Rule 56 of the Federal Rules of Civil Procedure (the “Federal Rules”) on or before July 22, 2008;
2. Quickie shall respond to the Greenberg Motion for Summary Judgment, if any, on or before August 26, 2008;
3. Any reply in support of the Greenberg Motion for Summary Judgment shall be filed and served on or before September 16, 2008;
4. Greenberg shall file no other motions pursuant to Federal Rule 56 other than the Greenberg Motion for Summary Judgment.

Pursuant to Federal Rule 26(a)(2)(C), the Parties further agree that discovery of expert and opinion witnesses shall proceed simultaneously with briefing and resolution of the Greenberg Motion for Summary Judgment, as follows:

5. The Parties shall exchange the expert witness disclosures required by Federal Rule 26(a)(2) on or before July 22, 2008;

6. The Parties agree that they shall exchange the disclosures set forth in Federal Rule 26(a)(2) with respect to any witness who will be asked to present opinion testimony at trial pursuant to Rule 701 of the Federal Rules of Evidence on or before July 22, 2008;

7. The Parties shall exchange rebuttal expert and opinion witness reports, if any, on or before August 26, 2008;

8. The Parties shall conclude expert and opinion witness discovery on or before October 15, 2008.

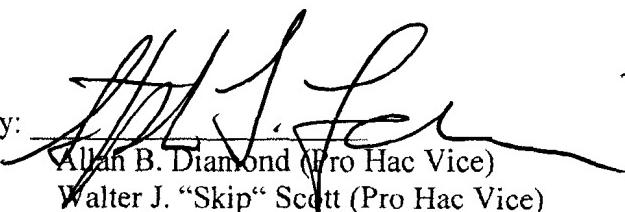
9. Page limits apply.

Faxed or electronically transmitted signatures shall be deemed original for the purpose of entering into this Stipulation and shall have the same force and effect as original.

Dated: June 20 , 2008
New York, New York

DIAMOND McCARTHY LLP

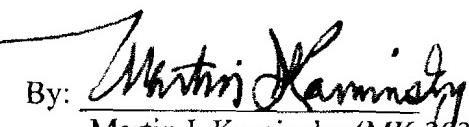
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SO ORDERED:



HON. RICHARD M. BERMAN
United States District Judge
New York, New York
June 23, 2008